

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE	:	Bankruptcy No. 18-10101-TPA
Joseph D. Barnhart and	:	
Alice L Barnhart,	:	Chapter 13
Debtor	:	
	:	Related to Docket No.: 92
Joseph D. Barnhart and	:	
Alice L Barnhart,	:	
Movant	:	
	:	
vs.	:	
	:	
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent.	:	

**ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING**

This matter comes before the Court upon the Debtors' Motion for Approval of Post-Petition Vehicle Financing Dkt. No. 92 ("*Motion*") filed by Debtors on March 29, 2021. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Motion* Dkt. No. 92 is **GRANTED** as provided by the terms of this Order. Debtors are authorized to obtain secured financing for the purchase of a replacement, vehicle on the following terms:

(a) the total amount of financing shall not exceed **\$25,000.00**; and

(b) the monthly payments made under the financing agreement **shall not exceed \$400.00 per month.**

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:

(a) an amended chapter 13 plan; and

(b) a report of financing, including details of automobile trade-in or sale, if applicable.

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Upon the filing of the report of financing including details of automobile trade-in or sale, if applicable, the chapter 13 trustee is authorized to cease making payments to **Americo FCU, Claim No. 2** on account of prepetition loan, **Claim No. 4**. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to the postpetition automobile lender identified in the report of financing for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the postpetition automobile lender.

6. Debtors shall serve copies of this Order on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Daniel P. Foster

Dated: March 29, 2021

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UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Debtor(s)

Counsel for Debtor(s) Ronda J.

Winnecour, Esq. Office of the

U.S. Trustee